

JC923 U.S. PTO  
11/09/01

# PATENT  
Customer Number 22,852  
Attorney Docket No. 7579.0006-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Prior Application Art Unit: 1617 Prior Application Examiner: Webman, E.

SIR: This is a request for filing a

JC986 U.S. PTO  
09/986509  
10/60/11  
11/09/01

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/077,590, filed June 2, 1998, of Graham Edmund KELLY for TREATMENT OR PREVENTION OF MENOPAUSAL SYMPTOMS AND OSTEOPOROSIS

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/077,590 as originally filed on June 2, 1998, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☒ Cancel Claims 2-32.
5. ☐ A Preliminary Amendment is enclosed.
6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$740	\$ \$740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	1	-	20	0	x \$18	\$0
Independent Claims	1	-	3	0	x \$84	\$0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	\$0
Subtotal						\$ 740
Reduction by 1/2 if small entity						- 370
TOTAL APPLICATION FILING FEE						\$ 370

7. ☒ A check in the amount of \$370 to cover the filing fee is enclosed.

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8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

9. ☒ Amend the specification by inserting before the first line, the following new paragraph:

This is a continuation of application Serial No.09/077,590, filed June 2, 1998, which is a § 371 of PCT/AU98/00313, filed May 1, 1998.

~~10. ☐ New formal drawings are enclosed.~~

11. ☒ The prior application is assigned of record to: Novogen, Inc.

12. ☒ Priority of application(s): Serial No. P06568, filed on May 1, 1997, in Australia and Serial No. PP0814, filed on December 8, 1997, in Australia is claimed under 35 U.S.C. § 119. A certified copy

☐ is enclosed or ☒ is on file in the prior application.

13. ☒ Small entity status is appropriate and applies to this application.

14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413;

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15. ☐ The power appears in the original declaration of the prior application.
16. ☒ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
18. ☒ Recognize as associate attorney: Robert W. Mann, Reg. No. 48,555

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 9, 2001

By: Jean B. Fordis  
Jean B. Fordis  
Reg. No. 32,984